

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

EDWARD DAY,)
Plaintiff,)
vs.) Civil Action No. 12-267
)
JEANNETTE BASEBALL)
ASSOCIATION, JIM POMPEI and)
LOUIS ALTERI,)
Defendants.)

O R D E R

CONTI, Chief District Judge.

Plaintiff, Edward E. Day commenced this action *pro se* on March 2, 2012. The case was referred to United States Magistrate Judge Robert C. Mitchell for pretrial proceedings in accordance with Magistrate Judges Act, 28 U.S.C. § 636(b)(1) and Local Rules of Court 72.C and 72.D.

Defendants filed a Motion for Summary Judgment [ECF No. 64] on August 21, 2013. Plaintiff did not respond thereto. The Magistrate Judge's Report and Recommendation [ECF No. 75] filed on October 4, 2013 recommended that Defendants' Motion for Summary Judgment be granted. Service of the Report and Recommendation was made on all parties. The parties were informed that in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Local Rule of Court 72.D.2, they had fourteen (14) days, until October 18, 2013, to file any objections. No objections to the Report and Recommendation have been filed.

After a *de novo* review of the pleadings and documents in this case, together with the Report and Recommendation, and pleadings thereto, the following order is entered:

AND NOW this 25th day of October, 2013,

IT IS HEREBY ORDERED that Defendants' Motion for Summary Judgment [ECF No. 64] is granted. Judgment is hereby entered in favor of Defendants Jeannette Baseball Association, Jim Pompei and Louis Alteri and against Plaintiff Edward Day.

IT IS FURTHER ORDERED that the Report and Recommendation of Magistrate Judge Robert C. Mitchell is hereby adopted as the Opinion of the District Court.

The clerk shall mark this case closed.

/s/ Joy Flowers Conti
Joy Flowers Conti
United States Chief District Judge